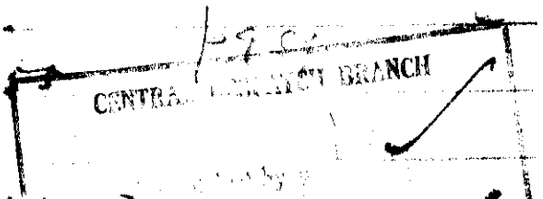
II

Memo. 1537/54-4. dt. 2-2-55

C.P. South Kanara - Purchase of blankets and shawls. L+ Expenditure - Ratification.

Ref:- From the P.E.O. S. Kanara.
Ref: Memo. 2923/54. C dt. 11-1-55



The P.E.O. S. Kanara is informed that the B.A. has been referred to in the marks and his reply is awaited.

3/2/55

To The P.E.O. S. Kanara, Mangalore

GOVERNMENT OF MADRAS.

Old Scott. II-28, New Scott. II-16—
71,008—28-1-55.

P. W. (1955) Department.

~~Endorsement~~
~~D.O.~~
~~Memorandum~~
Lodged

Memo No. 1650(2) P/55-4.

Dated 28. 11. 1955.

Closed

FURTHER PAPERS.

Department.	Number.	Series.	Date.

No. 1383/55-1

Mangalore Port Trust,
P.B.No.146, Mangalore I.
Dated 17th September 1955.

From

The Chairman,
Mangalore Port Trust,
Mangalore.

To

The Secretary to Government,
Public Works Department,
M A D R A S .

Sir,

Mangalore Port Trust – Act – Section 22 – delegation of powers to Vice-Chairman – sanction – requested.

*****

From the administration point of view of the Mangalore Port Trust, I considered it necessary to delegate some of the powers conferred on the Chairman of the Board by Section 22 of the Mangalore Port Trust 1953, to the Vice Chairman and propose to delegate the following duties to the Vice Chairman of the Mangalore Port Trust Board:-

(1) To sign all routine correspondence and returns due to Government.

(2) To make appointments to posts sanctioned by the Mangalore Port Trust Board the pay of which does not exceed Rs.30/.

(3) To sanction earned and unearned leave without substitutes to subordinates under the Port Trust (subject to confirmation by Chairman).

(4) To sanction increments to subordinates coming under the inferior service as defined under subsidiary definition (iii) of Fundamental Rule 9 (subject to confirmation by Chairman).

(5) To sanction contingencies below Rs.50/. in each case.

(6) To sign marine licences for lands approved by the Board to lease out for marine purposes.

I request that the Government may be pleased to accord sanction to the above proposals under proviso to Section 22 of the Mangalore Port Trust.Act, 1953.

NA.17/9.

CHAIRMAN.

P.W.D.(F.)

89/16/10

Memo. on. 16502 F/55-1 of 18-10-55

Port Trust - Tuticorin - Delegation of powers to Vice-chairman under Section 22 of Tuticorin Port Trust Act, 1924.

The C.T.P.T is requested to state whether the Vice-chairman, Tuticorin Port Trust Board has been delegated with any powers under the proviso to section 22 of the Tuticorin Port Trust Act, 1924, and if not to

P.T.O.

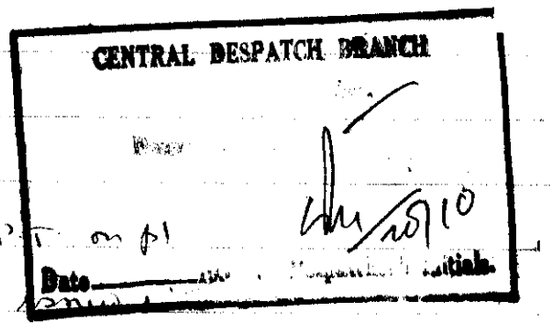
2 4

refer to the orders of the Govt. on the matter.

17.10.55

18/10/55

To the C.T.P.T.



NOTE:

The reference from the C.T.P.T. on p1 of may be perused. Similar orders in the case of Tuticorin is not traceable. The C.T.P.T may perhaps be consulted in the matter in the first instance. The draft on pp1-2 above provides for this.

18/10/55

17.10.55

2320M/28.10.

5

1,002—5-4-54

Received.....195 . Registered.....195

Subject.

Port Trusts - Tuticorin - Delegation of powers to Vice-Chairman under Section 22 of Tuticorin Port Trust Act, 1924.

Ref: Government Memorandum No.1650-XF/55-1, Public Works, Department, dated 18-10-1955.

ENCLOSURES
No.
Spare copies

No. 7(d)/2225 *Tuticorin, dated* 26 K October, 1955.

From (Name) Sri Henry Peter,

Chairman, Port Trust,

To the Secretary to the Government of Madras,
Public Works (Marine) Department,
Madras.

Sir,

With reference to Government Memorandum cited, I have to state that no powers have been delegated to the Vice-Chairman, under the proviso to Section 22 of the Tuticorin Port Trust Act, 1924, Madras Act II of 1924.

Yours faithfully,

CHAIRMAN.

5

7 P.W.D.(F.)

C.NO. 1650 & F/55.

48
29/11

Memo NO. 1650 & F/55-4 dt 28-11-1955

Port Trusts - Mangalore - Section 22 of Mangalore Port Trust Act, 1953 - Delegation of powers to vice-chairman.

From the C.Man.P.T. Letter no. 1383/55.1 dt 17.9.55.

The chairman, Mangalore Port Trust is informed that of the powers proposed to be delegated to the vice-chairman under section 22 of the Mangalore Port Trust Act, 1953, only the following could be delegated to him under the said section —

(1) To sign all routine correspondence and returns due to Govt.

(2) To sanction increments to subordinates coming under the last grade service subject to confirmation by the chairman.

(3) To sanction contingent expenditure upto Rs 50/- in each case

and (4) To sign marine licences for lands leased out for marine purposes

after approval by the Port Trust Board.

The Chairman may delegate the above powers to the Vice-Chairman. The prior approval of the Govt. for such delegation is not necessary, but such delegation will thereafter be subject to the control of the Govt. The Chairman may take action accordingly and submit a copy of such delegation to Govt. for their information.

2. As regards the following delegations to the Vice-Chairman, the C.Man.P.T. is informed that such delegation has to be ordered only under section 27(1) of the Mangalore Port Trust Act, 1963, and not under section 22 of the Act.

(1) To make appointments to posts sanctioned by the Mangalore Port Trust Board, the pay of which does not exceed Rs. 300/-; and

(2) To sanction earned and unearned leave without substitutes to subordinates under the Port Trust Board subject to confirmation by the Chairman.

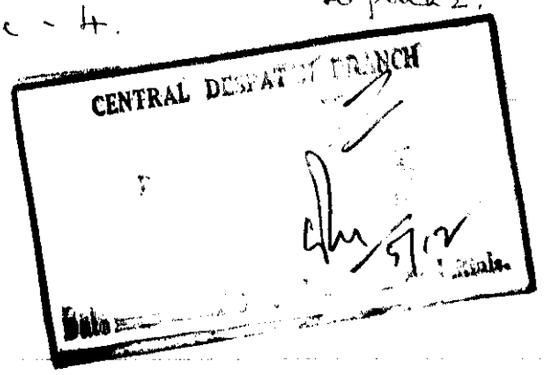
The above purpose could therefore be achieved either by amending any orders issued by Govt. under Section 27(1) of the Act, or by issuing necessary orders under the Section if no orders have so far been issued by Govt. under the said Section. The Chairman, Mangalore Port Trust, is accordingly requested to submit necessary proposals to Govt. for their consideration. A copy of G.O. Ms No. 813 P.W. of 3.3.1955 issued in the case of the Tuticorin Port Trust is furnished herewith to the C. Man. P.T., for information.

28.11.55

To the C. Man. P.T. with copy of G.O. 27/11/55

copy to 'L' Section P.W.D. with ref to para 2.

S/c - 4.



P.W.D.(F.

C.No.16502F/55. Port Trusts - Mangalore - Section 22 of Mangalore Port Trust Act, 1953 - Delegation of powers to Vice-chairman.

From the C. Man. P.T. Letter No. 1383/55.1 of 17.9.55.
To the C.T.P.T. Memo. No. 16502F/55.1 of 18.10.55.
From the C.T.P.T. Letter no. 7(d)/2225 of 26.10.55.

In his letter on pl cf. the chairman, Mangalore Port Trust has requested the sanction of Govt. to the delegation of the powers referred to at 'A' on pl cf. to the Vice-chairman under proviso to section 22 of the Mangalore Port Trust Act, 1953.

comparing the provisions of Sections 22 and 27(1) of the Act it would appear that the powers referred to in items (1), (5) and (6) at 'A' on pl cf. could alone be delegated to the Vice-chairman under the proviso to section 22 & that the delegation referred to in items (2) & (3) at 'A' on pl cf. could only be given effect to by amending the orders issued in G.O. M.S. No. 813 PW of 3.3.55. As regards the delegation referred to in item (4) at 'A' on pl cf. it is not clear whether it will have to be ~~classed~~ classed under section 22 or section 27(1) of the Act. It would however appear, that it would be more appropriate to classify it under section 22(3) of the Act. Law Dept. may be

C M

A A may be amended M 12.11.55

B M I agree 12.11.55

requested to clarify the points raised above.

The proviso to section 22 of the Act reads—

"Provided that, subject to the control of the State Govt., the Chairman may delegate all or any of these duties to the Vice-Chairman as may seem good to him from time to time."

The meaning of the word "control" above is not quite clear — whether the State Govt has to only approve the proposal of the Chairman to delegate some of his powers to the Vice-Chairman, or whether the Govt. themselves have to order the delegation of the powers to the Vice-Chairman. Law Dept may be requested to clarify this point also. A

6/11/55 8.11.55 9/11/55

Please put up the Tuticorin Port Trust Act also
10.11.55

Resubmitted with a copy of the Tuticorin Port Trust Act (at (J)) In Tuticorin the R.D.O. is the Chairman, T.P.T
11.11.55 11.11.55

A above:- I think the State Govt will

Mr 'L' section.
2558/XL/55
8.11.55
7.11.55 7/11/55

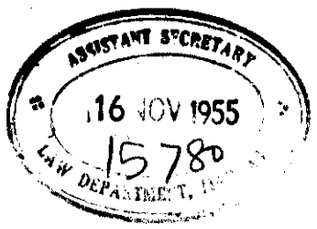
have to approve the proposal sent by the Chairman of the Port Trust.

Law may kindly advise in regard to A on pages 1 and 2 ante.

12.11.55

Law

P. W. D. u.o
1650 a F/55-3
15. 11. '55



Law department

A on p1 ante:- G O Ms No 813 P W D 8/3/55 relates to Tuticorin Port Trust and, therefore, any amendmentof this G.O. will not serve the purpose of the delegation proposed in this file. It is presumed that a G.O. similar to G.O. Ms.No. 813 has not been issued in the case of Mangalore Port Trust. If this be so, the required delegation may be made by a separate order under sec.27(1).

B on p1 ante sets out the correct position.

C on p. 2 ante:- The proviso cannot be construed as requiring the prior approval of the Govt. On the other hand, the fair construction seems to be that the ~~dx~~ Chairman may delegate and that it will, thereafter be subject to the control of the Govt.

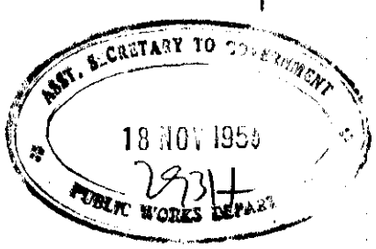
17.11.55

17/11/55

~~D.S.~~

15780/55-1
18/11/55

P.W.D



With reference to the remarks of Law Deptt. above, a draft memo. to the Chairman, Mangalore Port Trust is submitted below for approval.

27.11.55

28.11.55

Proceedings of the Chairman, Mangalore Port Trust.

Present: Sri M.G.Rajaram, I.A.S.

No.1383/55.3

**** Dated 22.12.1955.

SECRETARIAT
3221/1
23 DEC 1955
PUBLIC WORKS DEPARTMENT

Subject: Port Trust – Mangalore – Section 22 of the Mangalore Port Trust Act, 1953 – Delegation of Powers to Vice Chairman – Ordered.

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Under Section 22 of the Mangalore Port Trust Act, 1953 the Chairman, Mangalore Port Trust hereby delegates the following powers to the Vice Chairman:

DELEGATION OF POWERS

1. To sign all routine correspondence and returns due to Government.
2. To sanction increments to subordinates coming under the last grade service subject to confirmation by the Chairman.
3. To sanction contingent expenditure upto Rs.50/. in each case and
4. To sign Marine licences for lands leased out for marine purposes after approval by the Port Trust Board.

Mangalore Port Trust.)
Dated December 1955.)
To

M Rajaram 22/12

Chairman.

The Vice Chairman, Mangalore Port Trust.

Copy submitted to the Secretary to Government, P.W.Department, Madras with reference to Government's Memo No.1650 XF/55.4 P.W. dated 28.11.1955 for favour of information.

NA.20/12.

P.W.D. (F.)

P. I auth.

May be filed with Memo 1650/F/57-1
dt. 28.11.57

28.12.57

28.12.57

27.12.57